

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

CHRISTOPHER LEE JENKINS,

Plaintiff,

No. CIV S-04-1152 MCE GGH P

vs.

J.G. ARCEO, et al.,

Defendants.

FINDINGS AND RECOMMENDATIONS

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Plaintiff is a state prisoner proceeding pro se and in forma pauperis with an action filed pursuant to 42 U.S.C. § 1983. By concurrently filed order, this court has found this amended complaint sets forth some cognizable claims against certain defendants. However, for the majority of the defendants and claims, this court finds dismissal appropriate for the reasons extensively set forth in the court's order filed on December 12, 2005.

Accordingly, IT IS HEREBY RECOMMENDED that:

1. Plaintiff's claims against J. Valadez, Vincent Cullen, Glen Riddle, V. Sanchez, J.G. Arceo, Tony Loftin, N. Grannis, J.L. Schmidt, M. P. Gallagher, C. Semel, S. Ortiz, T. Surges, James L. Deason, S.O. Kephart, B. Curry, L. H. Dizung, J. Valdez, M. Veal, Crawford, Duncan, L. Buccinio, A. Swanson, Nadim K. Khoury, P. Enriquez, Dizmang, J. M. August, D. L. Turner, Dr. H. Hasheem, M. Hodges, Dr. Pacifico, Sgt. T. Winters, Joyce Thompson, K.L.

1 Kirpinsky, M. Hodges-Wilkens, F. Gonzalez, R. Grenz, C/O Summers, Counselor Dominquez,  
2 Lance Jensen, C/O Whitten, D. Shankland, J. Stocker, M. Bradley, J. Bick, R. Meyers, D.  
3 Myers, R. Carney, M. Cry, Sgt. Goddard, Sgt. Stevens, Dr. Beck, Robert McGahey, Dr. Diznang,  
4 Jeff Griffin, D. M. Cornez, J.E. Boyd, Counselor Dominguez, Counselor Ochoa, C. Buckley,  
5 Harley G. Lapin, C/O Furnari, C/O Guy, J.C. Sanders be dismissed and these parties be  
6 dismissed as defendants in this action; and

7           2. Plaintiff's claims against defendants C/O Wilson, Sgt. Pemberton, Sgt. Foster  
8 be dismissed with the exception of those specific colorable claims set forth both in the court's  
9 December 12, 2005 order and in the concurrently filed order as to defendants Wilson, Pemberton  
10 and Foster.

11           These findings and recommendations are submitted to the United States District  
12 Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within twenty  
13 days after being served with these findings and recommendations, any party may file written  
14 objections with the court and serve a copy on all parties. Such a document should be captioned  
15 "Objections to Magistrate Judge's Findings and Recommendations." Any reply to the objections  
16 shall be served and filed within ten days after service of the objections. The parties are advised  
17 that failure to file objections within the specified time may waive the right to appeal the District  
18 Court's order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

19 DATED: 4/18/06

/s/ Gregory G. Hollows

UNITED STATES MAGISTRATE JUDGE

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